Not recorded ET5 L 10-10

# Draught of an ACT FOR TOLERATION WITH A few ſhort REMARKS thereupon.

THe Queen's Majeſty taking to Her ſerious Conſideration, That a great and conſiderable part of Her Subjects in this Her ancient Kingdom, have been Baptiſed and Educated in the Communion of the Epiſcopal Church, and are of the Epiſcopal Principles and Perſwaſion, and averſe from the joining with the Presbyterian Government, according to the preſent Eſtabliſhment and the Exerciſe of it. And Her Majeſty being deſireous to give juſt and due Eaſe to all Her Subjects, doth therefore, with the Advice and Conſent of the Eſtates of Parliament, Statute, Enact and ordain, that from henceforth it ſhall be Lawful for all Her Majeſty's Subjects of the Epiſcopal Perſwaſion, to hold Meetings for Divine Worſhip with, and to hear God's Word and receive the Holy Sacraments from, Miniſters of the Epiſcopal Perſwaſion, in all Towns and Pariſhes of this Kingdom, without any Lett or Impediment whatſomever. As alſo, That it ſhall be lawful for ſuch Pariſhes as are now, or hereafter ſhall be vacant, where in the plurality of the Heretors, Liferenters, and Tenents having ſtanding Tacks, are of the Epiſcopal Perſwaſion, to call Epiſcopal Miniſters for to Preach the Goſpel, to Adminiſter the Sacraments, and to Exerciſe Church-diſcipline in their reſpective Pariſhes and Stations to which they ſhall be called. As alſo, to have full Right and Title to their reſpective Manſes and Gliebs, and to the legally ſettled Stipends, Maintenances and Benefices, appointed and ſettled by Law upon ſuch Miniſters as ſerve in the ſaid Pariſhes, according to Law and Cuſtom, certifying all ſuch as preſume to Interrupt or Diſturb ſuch Miniſters, either in Meeting-houſes or Pariſh Churches, in the exerciſe of their Function, that they ſhall be puniſhed conform to the good and wholeſome Laws made by Her Majeſty's Religious Predeceſſors, for the Protection of the Miniſters of the Goſpel, and appoints all Her Majeſty's Judges to decern accordingly. And in caſe any ſuch Epiſcopal Miniſters ſhall be found to Preach any Seditious Doctrines tending to Diſloyalty, or to the Diſturbance of the publick Peace and Government, or contrary to the Proteſtant Religion, that they ſhall only be convented before the Privy Council, or ſuch as ſhall be appointed by them, and puniſhed according to the demerit of their Crime and Offences. And it is hereby Statute, Enacted, and Ordained, That the foreſaid Indulgence and Toleration ſhall have full Force and Effect from the Day and Date of theſe preſents, and that notwithſtanding of any former Acts of Parliament, which from henceforth ſhall make no Derogation from the Force of this preſent Indulgence and Toleration. Finally, It is hereby Enacted and Appointed, That the Lords of Privy Council and Lords of Seſſion, Sheriffs, and all others Her Majeſty's Judges, ſhall interpret this preſent Act of Indulgence and Toleration, in the moſt Benign and Favourable Senſe, in behalf of the ſaid Indulged Miniſters, and ſee it put to vigorous Execution, in all points.

# REMARKS *upon the foregoing Draught.*

THis being the Second *Embrio* or *Specimen* handed about by the Promoters of the *Toleration-Project*, we may take it as the Reſult of their Riper Thoughts, and be allowed briefly to conſider it.

1. Among the many Arguments given againſt any Toleration to Prelatical Diſſenters, in our preſent Circumſtances, this is one never yet Anſwered; That as it is the Civil Intereſt of every Nation to have but one eſtabliſhed National Church-Government, Diſciplin and Worſhip; ſo alſo, that every Perſon within the Nation ſhould conform themſelves thereto: And that never yet did any Wiſe People grant a legal Toleration to Diſſenters, where the Diſſent was not founded either upon doubtful and ſcrupled Terms of Communion, or upon the Hardſhips of external Force. But neither of theſe can be alledged in the preſent Caſe; and therefore all Toleration muſt tend to cheriſh a Pernicious Party, and foment a Wicked Deſign of overturning the preſent Quiet and Happy Eſtabliſhment.

2. This Toleration, being only for Epiſcopalians, doth moſt directly ſet them up in competition with, and in ſome reſpects preferably to Presbytry; to try their skill and ſtrength in overthrowing the legal Church.

3. The Miniſters Indulg'd or Tolerated, are by this Draught to give no Evidence either of their Loyalty or Orthodoxy; ſo that their Principles, both contrary to the Confeſſion of Faith, and againſt Her Majeſty's Succeſſion and Government, as declared by the Meeting of Eſtates, are reſerved and ſecured; and they are at liberty (tho' not to Preach, yet) to Traffique and Practiſe for the *Pretender* at *St. Germains*, according to their known Inclinations. By the Former Draught, they were to ſwear the Allegiance, and to ſign the Confeſſion contained in the Teſt and enacted in the Reign of *K. Ja. 6.* Which Condition, tho' derogatory to the Act of Parliament 1690, ratifying the *Weſtminſter* Confeſſion, and in ſo far a Retrograde ſtep to the Rudiments of our Reformation, and conſequently backwards to Popery; yet it was better than nothing at all. But it ſeems, tho' ſome have Latitude enough for Swearing and Signing, in ſubſerviency to Deſigns of greater Service; yet it is found upon after-Thoughts, that even that Confeſſion is of too hard Digeſtion to others, as containing ſome Principles of Liberty, and againſt Arbitrary Courſes, and ſuch like Tenets as are not for their purpoſe.

4. This Draught founds the Diſſent from Communion, upon being *Baptiſed and Educated in the Communion of the Epiſcopal Church.* That their Education hinders not their peaceable joining with the National Worſhip, is plain from the Experience of ſeveral Years ſince the Revolution, till within theſe few Moneths, that ſome have been practiſed into a contrary Byaſs. And it is no leſs plain, that their Educators, the Miniſters, can never have the Brow to pretend the leaſt Pinch or Qualm of Conſcience in this Matter; Since their own Addreſſes to King *William*, and to his High Commiſſioner the Earl of *Tullibardine*, as likewiſe thoſe to the General Aſſembly 1692, upon the *Formula* ſent from Court, are ſtanding Witneſſes againſt them. But that their being *Baptiſed* in the Epiſcopal Communion ſhould be mentioned as a Ground of their Diſſent, is altogether ſurprizing; As if the Epiſcopal Baptiſm were not that *one Baptiſm* of the Catholick Church, which the Presbyterians hold their Baptiſm to be: For whatever Grounds Presbyterians give for ſeparating from Prelatical Communion, yet they never gave their Baptiſm for one. But it ſeems, by this Scheme, that the Epiſcopal People are taught to reckon themſelves Baptiſed unto *Prelacy*, and not unto *Chriſt*. And unto what then are their Children Baptiſed ſince the Revolution? Or unto what were the Conformiſts of the late times Baptiſed, before Prelacy came in? This is an Inſinu-

ation

ation of the laſt Diſgrace among Proteſtants, and only fit for the Dragoon-Converſions of *France*, where, if a Popiſh Surgeon or Midwiſe Baptiſed a Child, that Child was ever after to be held as a *Roman* Catholick.

5. What makes any of the People of this Nation *averſe from joining with Presbyterian Government and Worſhip*, but either, 1. Downright Threatning and Violence us'd by ſome Maſters unto thoſe, over whom they have Influence and Power, of which there are divers Inſtances. Or, 2. That Mens Vices are galled by Presbyterian Diſcipline, and their Libertine and Popiſh Deſigns obſtructed. And, 3. That they have of late got great Encouragement to expect a Change. We challenge the Wit of our Adverſaries to aſſign any other Reaſon of this pretended *Averſion*, which was not heard of nor known among any of the People, till of late ſome have taken vaſt pains *viis & modis* to procure it. The Nation was in Peace and Quiet, and well diſpos'd to comply with the Eſtabliſhment; till ſome who delight in Contention, threw their Fire balls and told People, that they ſhould be gratified in their unreaſonable Demands; and now that they have rais'd the Flame, they muſt have Oyl, inſtead of Water, to quench it.

6. The Draught ſets forth, That the Deſign is, *To give juſt and due Eaſe to all the Subjects*; That is indeed that Licentiouſneſs without controle. For this is an *Eaſe* which no Body needs, and the granting whereof by a Law, wou'd prove the greateſt Diſquiet and Diſ-eaſe to Her Majeſty's beſt Subjects. For,

1. It contains a Toleration in every Pariſh, without exception, contrary to the Laws againſt Intruding into planted Congregations, and which in many places (as appears already by the Example of the Tumults in *Glaſgow*) can never be attempted without Blood, and the moſt fatal Diſcontents and Diſorders.

2. It contains a Comprehenſion, which carries both the Overturning of the Laws of our Settlement, and moſt horrid Confuſion in the boſom of it: the Nullifying of Diſciplin, the Impunity of Immoral Practices, the Exerciſe both of Eraſtianiſm and Independency, a reſtoring of Prelatical Juriſdiction and Power, and a tranſmitting (at beſt) of incurable Schiſm to Poſterity: Beſide, a moſt grievous Hardſhip upon ſuch as Own and Adhere to the National Worſhip, where in any Pariſh they happen to be the leſſer or weaker part: For, it were hard enough, that they ſhould be obliged out of their own Purſes to Maintain a Presbyterian Miniſter, or elſe to want the Ordinances of the Goſpel; yet even for this, there is no Proviſion of Toleration made by this Draught, for them.

3. It opens a Door to perſecute Presbyterians for inſiſting upon their legal Priviledges, and teſtifying the leaſt Diſ-ſatisfaction with the Intruſions of Prelatiſts; for *they muſt be puniſhed according to the good and wholeſom Laws made by Her Majeſty's Religious Predeceſſors* (viz *Charles* 2. and *James* 7.) *for the Protection of the Miniſters of the Goſpel*: By which Title, theſe whom the Country call *Curats*, are plainly underſtood. So that, this is evidently to Revive the *Caroline* and *Jacobite* Perſecution againſt Presbyterians, upon every pretext that may be interpreted an *Interruption* or *Diſturbance* of the Prelatiſts, tho' acting never ſo much againſt Law: And indeed Prelacy can never be Tolerated, far leſs Supported in this Land, without Blood and a ſtanding Army.

4. For Sedition, Diſloyalty and Hereſy, they are *only to be convented before the Privy Council, or ſuch as ſhall be appointed by them*. One would think in all Reaſon, that the Council before whom they are to be convented, ſhould be very Presbyterian and Orthodox, as well as Loyal, otherwiſe there can be no Security from the Tolerated Party, nor can the Delinquents be under any Fear or Reſtraint, in appearing before Judges of their own Principles and Perſwaſion.

5. That the *Indulgence and Toleration ſhall have full Force and Effect from the Day and Date of the Act, notwithſtanding former Acts of Parliament*, is in effect a diſpenſing with theſe Acts for the time paſt, and an Indemnity for the Tranſgreſſions already made. And this carries in it a plain and ſhort Anſwer to all the Complaints and Grievances given in to the Council by the General Aſſembly, and their Commiſſion, of Encroachments and

F 212381

disorderly Practices already committed contrary to Law, of which no Redreſs is henceforward to be expected.

6. The Appointment of *Interpreting this Act in the moſt benign and favourable Senſe in behalf of the Miniſters indulged, and of ſeeing it put to vigorous Execution*, is in other Words, as Matters are now ſtated, a full aboliſhing of Presbytery, and an eſtabliſhing of Prelacy by Law. These things are ſo plain, and the Legiſlative at this time, we hope, entruſted into ſo honeſt Hands, that as he muſt be a bold Man, who dares preſent ſuch an Act to a *Scots* Parliament, after the late happy Revolution, ſo let the Tolerators vary their Projeſt as they will, we cannot doubt, but that it ſhall prove abortive.

To conclude, Pamphlets being at preſent much in faſhion, it may not perhaps be amiſs to ſubjoin a Citation or two out of one.

*The Intereſt of* England *conſidered, Pag.* 25. --- Places muſt be filled with theſe, who never Qualified themſelves by Civil Teſts, till Honour, or Advantage, or deeper Deſigns, engag'd them, ----- who were againſt the Abdication of the late King *James*, the Aſſociation to ſupport King *William*, and the Abjuration of the pretended Prince of *Wales*, in order to maintain Her Majeſty's unqueſtionable Right to the Throne, and the Succeſſion in the Proteſtant Line. *Pag.* 29. The Whigs have been a firm Rampart to the Liberties of the People, againſt all the Aſſaults of Arbitrary Power; and have ſo heartily oppos'd the Deſigns of ill Reigns, as to get the Names of Common-Wealths Men: But who, to ſhew they were thorow Friends to our Conſtitution, and for defending [illegible] Prerogative veſted in a good Prince, who, they knew, would uſe it to their Advantage, and who deſerv'd the Marks of their Gratitude, have gone ſo far on the obliging Side in the late Reign, as to be term'd Courtiers in Reproach. *Pag.* [illegible] The Proteſtant Intereſt is attacqu'd by the Devil heading an Army of Libertines [illegible] Practical Atheiſts at Home, and a Confederacy of Papiſts Abroad; ---- and when they have dar'd to make ſuch Progreſs in a time of Action and Buſineſs Abroad, what Attempts are we not to look for from them, when they come to enjoy a Peaceful Leaſure for perfecting their Deſigns. *Pag.* 74. The depriving the Proteſtants in *France* of their Offices and Places of Truſt, which had been confirm'd to them by the Edict of *Nantes*, was one of the firſt Steps taken to repeal that Edict, and extirpat the Reformation.

*Christe, [illegible] Lupos, qui vult in ovile, voraces;*
*[illegible] Simulans cadere, cadit E[illegible]*